

1
2
3
4
5

6 IN THE UNITED STATES DISTRICT COURT

7
8
9

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11

CRYSTAL HOWERY,

12
13
14

Plaintiff,

No. C 14-01980 WHA

v.

15
16

INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE
WORKERS, DISTRICT LODGE 751,

**ORDER RE SUPPLEMENTAL
BRIEFING FROM THE PARTIES**

Defendant.

17
18
19
20
21
22
23
24

For the motions to dismiss by defendant International Association of Machinists and Aerospace Workers, District Lodge 751, the hearing was originally scheduled for October 30, 2014, but had to be moved up to the morning of October 29, 2014. Proper notice of that change in hearing date was given by mail to *pro se* plaintiff Crystal Howery. She did not open the envelope, however, until after the October 29 hearing, and in her absence, that hearing went forward. Ms. Howery then called and left a voice message during the afternoon on October 29, 2014, saying that she had been on a two-week, out-of-state trip, and only recently returned to read her mail.

25
26
27
28

The Court regrets these circumstances and will allow each side to file a further memorandum addressing the main issue that came up at the hearing: namely, whether Section 185(c) of Title 29 over the United States Code supersedes and takes precedence over the general venue statute of Section 1391(b) of Title 28 of the United States Code. Each memorandum is limited to **FIVE PAGES**, and must be received by no later than **4 PM ON NOVEMBER 14, 2014**.

1 There will be no further oral argument or hearing, but this opportunity for supplemental briefing
2 ameliorates the unfortunate circumstance that Ms. Howery opened the envelope after the hearing
3 on October 29, 2014.

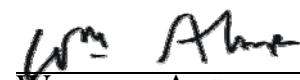
4

5 **IT IS SO ORDERED.**

6

7 Dated: October 30, 2014.

8


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28